

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

ORDER:
Motion denied as moot.

JAMES DALE WILLIS, and wife,)
KELLY R. WILLIS,)
Plaintiffs,)
v.)
WAL-MART STORES EAST, L.P.,)
JOHN DOE, INC.,)
and HUNTER'S VIEW, LTD.,)
Defendants.)

No. 1:09-CV-95
Jury Demand
Judge Campbell
Magistrate Knowles

E. Clifton Knowles
U.S. Magistrate Judge

MOTION FOR LEAVE OF COURT
TO AMEND COMPLAINT

Come now the Plaintiffs, James Dale Willis, and wife, Kelly R. Willis, by and through counsel, and would respectfully move this Honorable Court for an Order allowing the Plaintiffs leave of Court to amend the original Complaint filed in the above referenced cause to specifically name a defendant in lieu of Defendant John Doe.

As grounds therefore, the Plaintiffs would submit recently discovered information indicates the manufacturer of the climbing tree stand is Ameristep Corporation, doing business as, Ameristep, Inc. and/or its subsidiary, B & B Outdoors, Inc. Both Ameristep Corporation and B & B Outdoors, Inc. are Michigan corporations with both of their principal offices located at 901 Tacoma Court, Clio, Michigan 48420. The Case Management Order entered by the Court directed the Plaintiffs to have any and all motions to amend the pleadings filed with the Court by October 1, 2010. This information on Ameristep and its subsidiary B & B Outdoors, Inc., was only secured by Plaintiffs counsel on October 4, 2010.

Based on the foregoing, the Plaintiffs would respectfully move the Court for an Order allowing the Plaintiffs leave of Court to amend the original Complaint filed in the above referenced cause to specifically name a defendant in lieu of Defendant John Doe.